

REMARKS

This is in response to the Office Action dated December 17, 2007. With this response, claims 1 and 109 are amended; claim 44 is cancelled; and all pending claims 1-43, 45, 47-54, 56, 109 and 111-112 are presented for reconsideration and favorable action.

In the Office Action, the claims were rejected based upon Gollomp (U.S. Patent No. 6,424,157) in view of Roberts (U.S. Patent No. 6,570,385). With this response, the independent claims have been amended and it is believed that the present invention, as set forth in the pending claims is patentably distinct from these references.

Independent claim 1 states that the battery test is a function of a measured battery parameter and a battery rating. This does not appear to be shown by the Gollomp reference. Further still, independent claim 1, as well as independent claim 109, state that starter test is a function of a measured starter parameter value as well as a measured battery parameter. This is not shown in the cited section of Gollomp or Roberts. Further, independent claims 1 and 109 state that the charger system test is a function of voltages of the vehicle measured with the engine of the vehicle operating of a plurality of RPM values. In the Office Action, column 4 of Gollomp was generally cited as showing something related to this aspect. However, column 4 appears to describe storing various values during vehicle operation. Applicant is unable to identify where in this section the claimed values are used in a charger system test as set forth in independent claim 1 and 109.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,
WESTMAN, CHAMPLIN & KELLY, P.A.

By: /Judson K. Champlin/
Judson K. Champlin, Reg. No. 34,797
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312